

### Remarks

Claims 14-27 are currently pending in this application and claims 1-13 and 28-26 are withdrawn. Claim 14 is currently amended.

### Claim Rejections 35 USC 102/103

Claims 14-27 are rejected under 35 USC 102(b) as being anticipated by, or under 35 USC 103 as obvious over, Gao *et al.* ("Synthesis and Characterization of Water-Soluble Hyperbranched Poly(ester amine)s from Diacrylates and Diamines") ("Gao *et al.*").

Independent claim 14 has been amended to specify that the presently claimed poly(amino ester) compounds have no terminal primary amino groups. Support for this amendment is found in the application, for example at Figure 1, structure type II, at page 11 line 24 to page 12 line 4, at page 23 line 14 to page 24 line 16 (particularly page 23, lines 25 to 29), and at page 37, lines 8 to 15. Claims 15 to 27 all depend directly or indirectly on claim 14, and thus incorporate the amendment to claim 14.

Applicants respectfully submit that the claims as amended are not anticipated by Gao *et al.*, for at least the following reasons.

The polymers disclosed by Gao *et al.* possess primary amino groups at the termini of the hyperbranched polymers. Particularly, the schematic representation of the synthesis reaction and the resulting polymers shown in Schemes 1 (page 2342) and 3 (page 2346) indicate that the polymers terminate with primary amino groups (in Scheme 1, the B' represents a reactive hydrogen on a primary amino group; refer also to the first paragraph in Results and Discussion on page 2343). As well, Gao *et al.* states "The result shows that the primary amino groups further react with the residual vinyl groups to form a branched polymer with primary amino end groups." (See page 2344, first column.) At page 2347, Gao *et al.* indicates that the degree in branching is calculated in part using the number of terminal units, which is equal to the number of primary amino groups.

Thus, the claims as currently amended are not anticipated by Gao *et al.*, as Gao *et al.* does not describe a poly(amino ester) compound having no terminal primary amino groups.

Furthermore, Applicant respectfully submits that the currently amended claims are not obvious in light of Gao *et al.*, since Gao *et al.* teaches polymers that have terminal primary amino groups, thus teaching away from the subject matter of the current claims.

For the above reasons, Applicants respectfully request withdrawal of the rejection under 35 USC 102/103 based on Gao *et al.* In view of the foregoing, Applicant respectfully requests allowance of the application.

In the event the Examiner finds any of claims 14 to 27, directed to a compound, to be allowable, Applicants request the opportunity to amend withdrawn claims to include all of the limitations of an allowable compound claim, in order to have any such amended withdrawn claims rejoined.

### Conclusion

It is respectfully submitted that the present claims are in a condition for allowance. If any issues remain, Examiner Woodward is requested to contact the undersigned attorney prior to issuance of the next Office action in order to arrange a telephone interview. It is believed that a brief discussion of the merits of the present application, and the language of the current claims, may expedite allowance of the claims.

Respectfully submitted,

KLARQUIST SPARKMAN, LLP

One World Trade Center, Suite 1600  
121 S.W. Salmon Street  
Portland, Oregon 97204  
Telephone: (503) 595-5300  
Facsimile: (503) 595-5301

By \_\_\_\_\_ /Tanya M. Harding/  
Tanya M. Harding, Ph.D.  
Registration No. 42,630